

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claim 3 is cancelled herein without prejudice to or disclaimer of the subject matter set forth therein. Claims 1, 2, and 4-9 are pending. Claims 1, 4, and 5 are amended. Claim 1 is independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 3-5 would be allowable if rewritten in independent form. The Applicants thank the Examiner for the early indication of allowable subject matter in this application. In response, independent claim 1 has been amended to incorporate the allowable subject matter of objected-to claim 3.

Therefore, independent claim 1 is in condition for allowance. Claim 3 is now cancelled.

Claim for Priority

It is gratefully appreciated that the Examiner has acknowledged the Applicants' claim for foreign priority.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings.

Information Disclosure Citations

The Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statements filed March 9, 2004, November 4, 2004, and May 24, 2006 for providing Applicants with an initialed copies of the PTO forms filed therewith.

However, the Examiner has not made mention of the Information Disclosure Statements filed December 22, 2003. Clarification is respectfully requested in the next official communication.

Rejections Under 35 U.S.C. §102(e)

Claim 1, 2, 8, and 9 stand rejected under 35 U.S.C. §103(e) as being anticipated over Gerstner et al. (U.S. 6,819,415); and

claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gerstner et al. in view of Proll K-P.

These rejections are respectfully traversed.

Amendments to Independent Claim 1

As mentioned above, and while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, independent claim 1 has been amended herein to amended to incorporate the allowable subject matter of objected-to claim 3.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Gerstner et al.

Therefore, independent claim 1 is in condition for allowance.

Dependent Claims

The Examiner will note that dependent claims 4 and 5 have been amended, and dependent claim 3 has been cancelled.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e) and §103(a) are respectfully requested.

All pending claims are now in condition for allowance.

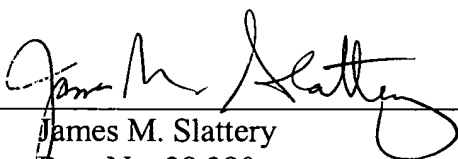
CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JMS/CTT/tg 